

104TH CONGRESS
1ST SESSION

S. RES. 205

To authorize testimony by Senate employee and representation by Senate
Legal Counsel.

IN THE SENATE OF THE UNITED STATES

DECEMBER 22, 1995

Mr. DOLE (for himself and Mr. DASCHLE) submitted the following resolution;
which was considered and agreed to

RESOLUTION

To authorize testimony by Senate employee and
representation by Senate Legal Counsel.

Whereas, in the case of United States of America v. Karl Zielinski, Case No. F12187–94, a criminal action pending in the Superior Court of the District of Columbia, the United States Attorney has caused a trial subpoena to be served on Michael O’Leary, a Senate employee on the staff of the Committee on the Judiciary;

Whereas, by the privileges of the Senate of the United States and rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate; and

Whereas pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to requests for testimony made to them in their official capacities: Now, therefore, be it

1 *Resolved*, That Michael O’Leary is authorized to pro-
 2 vide testimony in the case of United States of America
 3 v. Karl Zielinski, except concerning matters for which a
 4 privilege should be asserted.

5 SEC. 2. The Senate Legal Counsel is authorized to
 6 represent Michael O’Leary in connection with the testi-
 7 mony authorized by section 1 of this resolution.

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